

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

MODIFIED REGULATION TEXT

TITLE 13, CALIFORNIA CODE OF REGULATIONS, DIVISION 2, CHAPTER 6.5,
ARTICLE 3, ADD SECTION 1217.2 AND
ARTICLE 8, ADD SECTION 1263.2

CHARTER PARTY CARRIER BUS SAFETY (CHP-R-2017-06)

Existing text:Times New Roman 12 point font.
Additions:Times New Roman 12 point font with single underline.
Deletions:~~Times New Roman 12 point font with strikethrough~~
Modified Additions:Times New Roman 12 point font with double underline
Modified Deletions:~~Times New Roman 12 point font with strikethrough~~

Title 13, California Code of Regulations, Chapter 6.5. Motor Carrier Safety

Article 3. General Driving Requirements

§ 1217.2. Charter Bus Passenger Safety Information.

(a) Prior to the beginning of any trip, the driver of every vehicle designed to carry 39 or more passengers, operated in charter bus transportation pursuant to Section 5363(b)(1) of the Public Utilities Code, shall instruct or play a video for all passengers on the safety equipment and emergency exits of the vehicle. The driver shall provide written or video instructions, or both, which include at least a demonstration of the location and operation of all exits, including emergency exits, and ~~the importance of wearing a seat belt if the vehicle is so equipped. the requirement to wear a seatbelt, if available, and that not wearing a seatbelt is a violation of applicable vehicle code sections.~~

(b) Definitions. For the purpose of this section, the following definitions apply:

(1) “All passengers” includes every individual within the group of persons who, as part of a single cause and under a single contract, have acquired exclusive use of the vehicle to travel together.

(2) “Prior to the beginning of any trip” means immediately before the vehicle is first put in motion following the boarding of all passengers at the trip origin location. If at any time during the charter bus transportation, any passenger boards the vehicle for the purpose of transportation who has not received the instructions required by this section, the driver shall provide the

required instructions to the passenger(s) prior to the vehicle again being placed in motion.

(3) “All exits” includes every window, door, roof exit, or other means by which any passenger could exit the vehicle.

(4) “Written instructions” means a clearly legible hard copy of not less than 8 1/2” X 11” made of durable material which resists deterioration from liquid or repeated handling, which includes all information required by this section. Information ~~may~~ shall be presented in a format consisting of verbiage displayed in a minimum of 14 point font, universally recognized and easily understood symbols or drawings, or both. Verbiage included in the instructions shall be in plain English and may also incorporate instructions in other languages as necessary to accommodate passengers.

Note: Authority cited: Sections 2402, 34500.1, 34501, and 34505.8, Vehicle Code. Reference: Section 34505.8, Vehicle Code, and Section 5363, Public Utilities Code.

Article 8. General Equipment Requirements

§ 1263.2. Charter Party Carrier Bus Safety.

(a) Emergency lighting fixtures. Motor carriers shall not operate any bus designed to carry 39 passengers or more including the driver, manufactured on or after July 1, 2020, and described in Section 5363(1)(b) of the Public Utilities Code, unless the bus is properly equipped and in compliance with the following requirements:

(1) Buses shall be equipped with emergency lighting fixtures that will automatically illuminate the interior of the bus in the event of an impact, collision, or rollover, under all conditions of bus operation and orientation, including when the bus is stationary.

(2) Emergency lighting fixtures shall be permanently mounted in locations throughout the interior of the bus in a manner which does not interfere with passenger ingress, egress, or comfort, including egress through required emergency exits. The fixtures shall not have sharp edges or protrusions which may cause injury to passengers or damage to property.

(A) Interior lamps meeting the requirements of Section 1217(h) may be used, in whole or in part, to fulfill this requirement.

(3) Emergency lighting fixtures, which illuminate automatically as required by subdivision (a)(5), shall remain illuminated until all passengers, including the driver, have exited or been evacuated from the interior of the bus.

(4) Light emitted by the emergency lighting fixtures shall be sufficient to illuminate the entire interior of the bus in a manner sufficient to facilitate egress of passengers in the event of an emergency.

(5) Emergency lighting fixtures shall automatically illuminate when the bus is involved in any incident in which the bus rolls over, is impacted by any object, or is involved in any collision, at any angle, when that impact or collision exerts a force of greater than 5 times the force of gravity on any passenger or the driver, or exceeds the equivalent of a 10 mile per hour impact of the bus versus any stationary object.

(6) Emergency lighting fixtures shall be electrically self-powered, powered by the bus electrical system, powered by an auxiliary electrical source, or any combination thereof.

(7) In addition to automatic illumination requirements, emergency lights may be illuminated manually by the driver or any person within the driver’s compartment. Notwithstanding manual

illumination, if the bus is involved in any incident outlined in subdivision (a)(5), the lights shall illuminate automatically and remain illuminated without manual intervention.

(8) Emergency lighting fixtures and their installation shall meet ~~all~~, and may not be in conflict with, any applicable Federal Motor Vehicle Safety Standards, in effect at the time of the emergency lighting fixture installation.

(b) Compliance with Federal Motor Vehicle Safety Standards (FMVSS). Every bus described in subdivision (a) shall, at all times, be maintained in compliance with all FMVSS in effect at the time of manufacture.

(1) No person shall at any time disable, render ineffective, or remove any device or element of design required by any FMVSS applicable at the time of manufacture.

Note: Authority cited: Sections 2402, 27426, 34500.1, and 34501, Vehicle Code. Reference: Sections 27425, Vehicle Code, and Section 5363, Public Utilities Code.